

AGENCY ESTIMATE  
OF THE FISCAL IMPACT OF IMPLEMENTING  
**HB 170 2011 General Session**  
**Tobacco and Nicotine Product Amendments**

**Sponsor:** Representative Paul Ray  
**Agency Contact:** Jenefer Youngfield  
**Agency** Utah State Office of Education

**Lead Analyst:** Ben Leishman  
**Title:** School Construction Specialist  
**Office:** 801-538-7669 **Cell:** (801) 513-6682

**A. Short Form** (For bills that have no impact on the state, local governments, businesses, or individuals.)

If you can check all five boxes to the right, you're almost done. If the bill obviously doesn't have an impact, you're done.

- |                                     |   |
|-------------------------------------|---|
| <input type="checkbox"/>            | State agencies will not require an appropriation to implement the bill. |
| <input checked="" type="checkbox"/> | There is no fiscal impact on local governments.                         |
| <input checked="" type="checkbox"/> | There is no fiscal impact on businesses.                                |
| <input type="checkbox"/>            | There is no fiscal impact on individuals.                               |
| <input checked="" type="checkbox"/> | The bill will not affect revenues.                                      |

If it isn't so obvious, explain what's going on. The most usual explanation is the codification of existing practices.

Attachments welcome.

If necessary, explain why this bill has no fiscal impact.

Language added to the "nicotine product" list includes many more products which would be unlawful for use by person's under the age of 18, and outlines ... *Continued on second tab.*

**B. What parts of the bill cause fiscal impact?**

Cite specific sections or line numbers.

Impact related to possible added time and resources to enforce and reduced revenues, etc., is uncertain.

**C. Which program gets the appropriation?**

Enter 3 letter Appropriation Unit Code.

**For multiple appropriations**

This is  of

**D. Work Notes: Assumptions, calculations & what are we buying?**

Explain the fiscal impact in plain English, detailing your assumptions, methods, & calculations.

List all direct costs. Identify one-time and ongoing costs. Detail FTE impacts.

Do not say, "\$50,000 in Current Expense." Be very specific about what this \$50,000 will buy.

Attachments encouraged.

It is not possible to quantify possible increased time and resources related to (1) enforcing new language, (2) going through the legal processes to prosecute offenders, (3) the possible effect on offenders and the parents and guardians responsible for the minors, (4) paying fines proposed and (4) the effects of the punishment.

## E. REVENUES

Select Fund	Current Budget Year FY 2011	Coming Budget Year FY 2012	Future Budget Year FY 2013
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

## F. COSTS by FUND

Select Fund	Current Budget Year FY 2011	Coming Budget Year FY 2012	Future Budget Year FY 2013
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

## G. COSTS by EXPENDITURE CATEGORY.

Expenses by Category	Current Budget Year FY 2011	Coming Budget Year FY 2012	Future Budget Year FY 2013
Personal Services			
Travel			
Current Expense			
DP Current Expense			
DP Capital Outlay			
Capital Outlay			
Other/Pass Thru			
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

## H. Non-State Impacts

Your estimate of how will the bill affect:

### Local Governments

Local governments may see reduced tax revenue and an increase in offenses by those under 18, because of added restrictions. With more restrictive language local governments may see a reduction in... *Continued on second tab*

### Businesses

Business may see reduced sales and increased chances of compliance violations. Offenses may be more costly and significant because of added restrictions and offenses being more punitive.

### Individuals

There may be reduced usage of nicotine products . Individuals choosing to use products added to the restricted list may find themselves being penalized accordingly.

*AGENCY ESTIMATE*  
*OF THE FISCAL IMPACT OF IMPLEMENTING*  
***HB 170 2011 General Session continued...***  
***Tobacco and Nicotine Product Amendments***

<i>Sponsor:</i>	<i>Representative Paul Ray</i>	<i>Lead Analyst:</i>	<i>Ben Leishman</i>
<i>Agency Contact:</i>	<i>Jenefer Youngfield</i>	<i>Title:</i>	<i>School Construction Specialist</i>
<i>Agency</i>	<i>Utah State Office of Education</i>	<i>Office:</i>	<i>801-538-7669</i>
		<i>Cell:</i>	<i>801-513-6682</i>

***A. Short Form - continued from first tab...***

penalties and fines for those providing, selling, attempting to sell to individuals under the age of 18 and individuals under the age of 18 who buy, attempts to buy, accept, or has in the person's possession excluded products. Is the language that states an individual may have products that are approved by the United States Food and Drug Administration for Nicotine replacement therapy or other medical purposes (see lines 442-443 for example) stated clearly enough to stipulate these products must be prescribed for the person in possession of the product? Local business and local government may see a decrease in sales and revenues of certain nicotine products to those under 18. School districts and charter schools, as well as law enforcement, may see an increase in offenses with added restrictions. Individuals may encounter increased offenses due to added restrictions. Added restrictions may reduce usage of additional nicotine products for individuals under the age of 18.

***B. What parts of the bill cause fiscal impact continued from first tab...***

***C. Which program gets the appropriation continued from first tab...***

***D. Work Notes: continued from Tab 1 continued from first tab...***

***E. REVENUES continued from first tab...***

F. COSTS by FUND *continued from first tab...*

G. COSTS by EXPENDITURE CATEGORY *continued from first tab...*

H. Non-State Impacts *continued from first tab...*

revenues because of reduced sales of restricted products.